

Panaji, 4th January, 1973 (Pausa 14, 1894)

SERIES II No. 40

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN  
AND DIU

Finance (Revenue) Department

Notification

No. Fin(Rev)/2-41/Part/2/2733/70

In exercise of the powers conferred by sub-section (3) of Section 5 of the Goa, Daman and Diu Entertainment Tax Act, 1964, Government is pleased to exempt from the payment of Entertainment Tax the tickets issued for the drama "Inspector" to be staged at Candolim on 31-12-1972 organised by the Candolim Sports Club, Candolim, Bardez-Goa.

2. The exemption is subject to the condition that the net proceeds accrued from the drama are credited to the funds of the Candolim Sports Club, Candolim, Bardez-Goa and are utilised for cultural and Sports activities only.

3. The President, Candolim Sports Club, should submit the accounts to the Commissioner of Entertainment Tax, Panaji, as and when the same are required by him.

4. All the tickets proposed to be sold for this drama should bear the seal of the prescribed officer or of his office.

By order and in the name of the Administrator of Goa, Daman and Diu.

Puran Singh, Finance Secretary.

Panaji, 30th December, 1972.

Notification

No. Fin(Rev)/2-41/Part/2/2761/70

In exercise of the powers conferred by sub-section (3) of Section 5 of the Goa, Daman and Diu Entertainment Tax Act, 1964, Government is pleased to exempt from the payment of Entertainment Tax the tickets issued for the Konkani drama «Gaum Ghor» to be staged at Siolim on 31-12-1972, in aid of the St. Cruz Chapel, Siolim, organised by Shri Amas Fernandes.

2. The exemption is subject to the condition that the entire proceeds accrued from the drama without deduction of expenses are credited to the funds of the St. Cruz Chapel, Siolim, and are utilised for the improvement of the St. Cruz Chapel only.

3. Shri Amas Fernandes, should submit the accounts to the Commissioner of Entertainment Tax, Panaji, as and when the same are required by him.

4. All the tickets proposed to be sold for this drama should bear the seal of the prescribed officer or of his office.

By order and in the name of the Administrator of Goa, Daman and Diu.

Puran Singh, Finance Secretary.

Panaji, 30th December, 1972.

Revenue Department

Order

No. RD/COM/55/71

The Lt. Governor of Goa, Daman and Diu is hereby pleased to appoint the following persons temporarily to the posts of Administrator of Comunidades.

- 1) Shri Orlando Sequeira Lobo as Administrator of Comunidades of Tiswadi.
- 2) Smt. Elu Miranda as Administrator of Comunidades of Salcete.
- 3) Shri Marcelino Capristino Fernandes 2nd Grade assistant of the Section of Comunidades at Marmagao as the Administrator of Comunidades of Bardez.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Revenue).

Panaji, 27th December, 1972.

Notification

No. RD/LQN/308/72

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz. for raising Cashew Plantation.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purposes specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Land Acquisition Officer, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Land Acquisition Officer, Panaji.
3. The Conservator of Forests, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Collector of Goa, Panaji for a period of 30 days from the date of publication of this Notification in the Government Gazette.

**SCHEDULE**  
(Description of the said land)

Sl. No.	Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1	Satari	Thanem	1	67	Land known as «Parte de Macasso da Aldela Dongurli» belonging to Smt. Sudha Jaivant Kamat of Sanquelim.	1685502.00
Total.....						1685502.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 18th December, 1972.

Notification

No. RD/LQN/298/72

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz Sanvordem-Dharbandora Road.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvement made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Dy. Collector, Goa South Sub-Division, Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Superintending Engineer I, Circle I, P. W. D. Panaji.
3. The Deputy Collector, Goa South Sub-Division, Margao.
4. The Executive Engineer, Works Division VI, P. W., Margao.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector, Goa South Sub-Division, Margao for a period of 30 days from the date of publication of this Notification in the Government Gazette.

**SCHEDULE**  
(Description of the said land)

Sr. No.	Taluka	Village/ Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1	Sanguem	Darbandora	1	—	Shri Ramnath Manguesh Sinai Singbal, Import and Export Office, Panaji. North: Paddy field. South: Forest land. East: Ramnath M. S. Singbal. West: Darbandora-Sanvordem road.	750.00
2	— do —	— do —	2	—	Shri Dattoba Vaman Marathe Dharbandora. North: Paddy field. South: Forest land. East: Darbandora-Sanvordem road. West: Dattoba Vaman Marathe.	750.00
Total .....						1500.00

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 18th December, 1972.

Notification

No. RD/LQN/299/72

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz Black topping of Deussem Road.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894

(hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this

Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Dy. Collector, Goa North Sub-Division, Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Superintending Engineer I, Circle I, P.W.D., Panaji.
3. The Dy. Collector, Goa North Sub-Division, Panaji.
4. The Executive Engineer, Works Division II, P.W.D., Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector, Goa North Sub-Division, Panaji for a period of 30 days from the date of publication of this Notification in the Government Gazette.

## SCHEDULE

(Description of the said land)

Sl. No.	Taluka	Village	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1	Pernem	Deussem	1	—	<i>Common property:</i> Shri Raghuray V. Desprabhu of Pernem Shri Sitaram G. Dessai Shri Abdul Rehman D. Naik Jubeida B. Naik Shri Fakir Kassam Naik all of from Deussem North: Raghuray V. Desprabhu and others South: Road East: — do — West: — do —	25.00
2	»	»	2	—	<i>Common property:</i> Shri Raghuray V. Desprabhu of Pernem Shri Sitaram G. Naik Shri Abdul Rehman D. Naik Jubeida B. Naik Shri Fakir Kassam Naik all of from Deussem North: Road South: Raghuray V. Desprabhu and others East: Small nala West: Road	117.00
3	»	»	3	—	Shri Khaja Hassan Habib Naik of Deussem North: Road South: Khaja Hassan Habib Naik East: Ismail Naik West: Usman A. Kadan Naik & others	15.50
4	»	»	4	—	<i>Common property:</i> Shri Usman A. Kaden Naik Shri Jakaria A. Kadar Shri Abdul Karim Abdul Kadar and others of Deussem North: Road South: Usman A. Kadar Naim and others East: Khaja Hassan Habib Naik West: Raghuray Desprabhu Sitaram G. Dessai & others	56.50
5	»	»	5	—	Shri Raghuray Desprabhu Shri Sitaram Dessai Shri Abdul Rehman Shri Jubedabi and others North: Road South: Raghuray Desprabhu & others East: Usman A. Kadar & others West: Road	17.25
6	»	»	6	—	Shri Raghuray V. Desprabhu of Pernem North: Raghuray V. Desprabhu South: Road East: Shri Shripad Dessai East: Shri Shripad Dessai	109.25
7	»	»	7	—	Shri Shripad Dessai of Korgaon North: Shripad Dessai South: Road East: Road West: Raghuray V. Desprabhu	309.00
Total						649.50

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 18th December, 1972.

## Notification

No. RD/LQN/227/72

Whereas by Government Notification No. RD/LQN/227/72 dated 28-8-72 published on page 163-164 of Series II, No. 23 of the Government Gazette, dated 7-9-72 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as «the said Act») that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the «said land») was likely to be needed for public purpose viz. 6 Technical Training Regiment, at Curti, Ponda.

And whereas the appropriate Government (hereinafter referred to as «the Government») is satisfied after considering the report made under sub-section (2) of Section 5A of

the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Dy. Collector, South Sub-Division, Margao to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Dy. Collector, Margao till the award is made under Section 11.

## SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1	Ponda	Curti	1	—	Shri Ramknishna Kamat.	3130.00
2	—do—	—do—	2	—	Shri Jaganath Prabhu Sincro.	9315.00
3	—do—	—do—	3	—	Comunidade of Curti.	789.00
4	—do—	—do—	4	—	Shri Ramkrishna Kamat.	787.00
5	—do—	—do—	5	—	Comunidade of Curti.	144.00
Total .....						14165.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 20th December, 1972.

## Notification

No. RD/LQN/250/72

Whereas by Government Notification No. RD/LQN/250/72 dated 19-9-1972 published on page 206 of Series II, No. 26 of the Government Gazette dated 28-9-1972 it was notified under section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as «the said Act») that the land specified in the schedule appended to the said notification (hereinafter referred to as «the said land») was need for the public purpose of Cashew Plantation at Quedem.

And whereas the appropriate Government (hereinafter referred to as «the Government») is satisfied that the land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

And whereas the acquisition of the said land is urgently necessary.

Now, therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

The Government is also pleased to direct under sub-section (1) of section 17 of the said Act that the Collector appointed under paragraph 2 below, shall at any time on expiration of fifteen days from the publication of the notice relating to the said land under sub-section (1) of section 17 of the said Act, take possession of all waste or arable land.

2. The Government is also please to appoint under clause (c) of section 3 of the said Act, the Land Acquisition Officer Collector's Office, Panaji to perform the functions of the Collector for all proceedings hereafter to be taken in respect of the said land, and to direct him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Land Acquisition Officer at the Collector's Office at Panaji, till the award is made.

## SCHEDULE

(Description of the said land)

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Quepem	Quedem	Ambengal	82	Comunidade of Quedem	19,17900.00
		Saidamel	75		
		Bovamola	85		
		Karamol	11		
		Vitnemol	13		
Total .....					19,17900.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 20th December, 1972.

## Notification

No. RD/LQN/148/72

Whereas by Government Notification No. RD/LQN/148/72 dated 23-8-1972 published on page 158 & 159 of Series II, No. 22 of the Government Gazette, dated 3-8-1972 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as «the said Act») that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the «said land») was likely to be needed for the public purpose viz. Road linking approach Road to Veterinary Dispensary, Nani Daman.

And whereas the appropriate Government (hereinafter referred to as «the Government») is satisfied after considering the report made under sub-section (2) of Section 5A of the

said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Collector of Daman to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Collectorate and P.W.D., Office Daman till the award is made under Section 11.

## SCHEDULE

(Description of the said land)

Taluka	Village Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Daman	Kataria	1	413/1	Chagan Peetamber Naretam Peetamber Fakir Peetamber	524.00
»	»	2	413/2	Ravia Devji Lakhu Devji	150.00
»	»	3	413/3	Deyabhai Jihabhai	625.00
»	»	4	409	Ravia Devji Lakhu Devji	200.00
Total					1500.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar Secretary (Revenue).

Panaji, 20th December, 1972

## Notification

No. RD/LQN/93/72

Whereas by Government Notification No. RD/LQN/93/72 dated 9-3-72, published on page 362 to 363 of Series II no. 52 of the Government Gazette dated 23-3-1972, it was notified under section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land») was needed for the purpose viz. Construction of an approach road to Housing Colony Road No. 2».

And whereas the appropriate Government (hereinafter referred to as the Government») is satisfied that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

And whereas the acquisition of the said land is urgently necessary.

Now, therefore the Government is pleased to declare under the provisions of section 6 of the said Act that the said land is required for the public purpose specified above.

The Government is also pleased to direct under sub-section (1) of Section 17 of the said Act, that the Collector, appointed under paragraph 2 below, shall at any time on expiration of fifteen days from the publication of the notice relating to the said land under sub-section (1) of section 9 of the said Act, to take possession of all waste or arable land.

2. The Government is also pleased to appoint under clause (c) of section 3 of the said Act, the Land Acquisition Officer, Collector's Office, Panaji to perform the functions of a Collector for all proceedings hereafter to be taken in respect of the said land, and to direct him under section 7 of the said Act, to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Land Acquisition Officer, at the Collector's Office at Panaji till the award is made.

## SCHEDULE

(Description of the said land)

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Bardez	Penha de França	—	122 129 part	Serula Comunidade.	4048
Total					4048

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar Secretary (Revenue).

Panaji, 21st December, 1972.

## Notification

No. RD/LQN/197/72/1

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz. Construction of Road Linking Zilalem and Odlem Bhatt.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Land Acquisition Officer, Collector's Office, Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Land Acquisition Officer, Panaji.
3. The Director of Land Survey, Panaji.
4. The Block Development Officer, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Land Acquisition Officer, Collector's Office, Panaji for a period of 30 days from the date of publication of this Notification in the Government Gazette.

## SCHEDULE

(Description of the said land)

Sl. No.	Taluka	Village	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1	Tiswadi	Taleigao	—	285	Shri Joao Caetano Taveira from Taleigao	840.00
<i>Boundaries:</i>						
North: Plot held by Taleigao Comunidade.						
South: Plot held by Taleigao Comunidade.						
East: Public road through the plot held by Aleixo Honorato Martins.						
West: Plot held by Maria Angelica Magalhaes and Thomaz de Souza.						
Total .....						840.00 Sq. mts.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 20th December, 1972.

## Notification

No. RD/LQN/197/72/2

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz Extension of Market.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Land Acquisition Officer, Collector's Office Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Land Acquisition Officer, Collector's Office, Panaji.
3. The Director of Land Survey, Panaji.
4. The Block Development Officer, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Land Acquisition Officer, Collector's Office Panaji for a period of 30 days from the date of publication of this Notification in the Government Gazette.

SCHEDULE  
(Description of the said land)

Taluka	Village	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Tiswadi	Taleigao	—	319 (Part)	Smt. Bimaroti Porbinim, widow of Pondorinata Vassu Poroba Colvalcar, from Taleigao.	100.00
<p style="text-align: center;"><i>Boundaries:</i> North, East and West: Plot held by Bimaroti Porbinim. South: Public road from Taleigao to Panaji.</p>					
Total .....					100.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 20th December, 1972.

Notification

No. RD/LQN/140/72

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the scheduled hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz Construction of colonies for Selaulim Project.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Special Land Acquisition Officer to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Special Land Acquisition Officer
3. The Superintending Engineer III, Circle III, P.W.D., Panaji.
4. The Executive Engineer, Works Division X, P.W.D., Panaji.

6. A rough plan of the said land is available for inspection in the office of the Special Land Acquisition Officer for a period of 30 days from the date of publication of this Notification in the Government Gazette.

SCHEDULE  
(Description of the said land)

Sl. No.	Taluka	Village	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1	Sanguem	Uguem		32	Shri Xec Abdul Reiman of Sanguem.	10546.00
Total .....						10546.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 23rd December, 1972.

Collectorate of Goa

Order

No. RB/RVN/15/71/202

Subject: — Government land known as 'Sem denominada especial' situated at Palmar Ponte, of Panaji, assigned to Shri Roguivir Pundolica Velguencar of Panaji, under Title no. 536 dated 1-6-1972.

Reference: — Order of Administrative Tribunal of Goa, Daman and Diu, dated 18th November, 1972 in the Land Revenue Appeal no. 6/72.

The reversion Order No. RB/RVN/15/71/57 dated 17-3-1972, published in the Government Gazette No. 1, Series II, dated 6-4-1972, is hereby cancelled.

S. R. Arya, Collector of Goa.

Panaji, 2nd December, 1972.

## Food and Civil Supplies Department

## Public Works Department

Principal Engineer's Office

## Notification

No. PWD/LA/1258/33/72

Land Acquisition Act, 1894 (Act 1 of 1894)

Whereas it appears to the Government of Goa, Daman and Diu (hereinafter referred to as the Government) that the land specified in the schedule hereto (hereinafter referred to as the said land) is likely to be needed for the public purpose, namely for constructing a new road from Varkund to Kachigam.

Therefore the Government is pleased to notify under the provision of Sub-Section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the said Act) that the said land is needed for the purpose specified above.

All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyors or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange and otherwise or any outlay or improvement made therein without the sanction of the Collector after the date of this notification will under Section 24 (seventh) of the said Act be disregarded by the Officer assessing compensation for such parts of the said lands as may be finally acquired.

If the Government is satisfied that the said land is needed for the aforesaid purpose a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette in due course. If the acquisition is abandoned wholly or in part, the fact will be duly notified in the Government Gazette.

The Government is further pleased to direct under Sub-Section (4) of Section 17 of the said Act, that the provision of Section 5 (A) of the said Act shall not apply in respect of the said land.

The Government is also pleased to authorise under Sub-Section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector of Daman.
2. The Executive Engineer, Works Division VII, PWD, Daman.

## SCHEDULE

Sl. No.	Taluka	Village	Description of Sur. Nos. Sheet No.	Area H. A. PA.
1	2	3	4	5
1.	Daman	Kachigam	15/3	0-02-00
2.	— do —	— do —	22/1	0-58-00
				0-08-00
3.	— do —	— do —	22/3	0-01-00
4.	— do —	— do —	22/4	0-05-00
5.	— do —	— do —	14/2	0-01-00
6.	— do —	— do —	17	0-07-00
7.	— do —	— do —	19	0-06-00
8.	— do —	— do —	20	0-09-00
9.	— do —	Varkund	170/1	0-01-00
10.	— do —	— do —	170/2	0-02-00
11.	— do —	— do —	170/3	0-01-00
12.	— do —	— do —	170/4	0-02-00
13.	— do —	— do —	171/1	0-04-00
14.	— do —	— do —	172/1	0-01-00
15.	— do —	— do —	172/4	0-04-00
16.	— do —	— do —	172/5	0-05-00
17.	— do —	— do —	172/6	0-01-00
17A.	— do —	— do —	172/7	0-01-00
18.	— do —	— do —	174/1	0-09-00
19.	— do —	— do —	174/2	0-01-00
20.	— do —	— do —	176/1	0-04-00
21.	— do —	— do —	176/2	0-04-00
22.	— do —	— do —	176/5	0-02-00
23.	— do —	— do —	176/6	0-01-00
24.	— do —	— do —	177/1	0-01-00

1	2	3	4	5
25.	Daman	Varkund	177/4	0-05-00
26.	— do —	— do —	177/5	0-01-00
27.	— do —	— do —	180/1	0-01-00
28.	— do —	— do —	180/2	0-05-00
29.	— do —	— do —	180/6	0-02-00
30.	— do —	— do —	180/7	0-05-00
31.	— do —	— do —	182/3	0-03-00
32.	— do —	— do —	182/5	0-02-00
33.	— do —	— do —	182/11	0-02-00
34.	— do —	— do —	182/12	0-08-00
35.	— do —	— do —	182/3	0-01-00
36.	— do —	— do —	183/2	0-01-00
37.	— do —	— do —	183/6	0-01-00
38.	— do —	— do —	183/8	0-03-00
39.	— do —	— do —	185/11	0-01-00
40.	— do —	— do —	185/14	0-02-00
41.	— do —	— do —	186/5	0-04-00
42.	— do —	— do —	186/6	0-05-00
43.	— do —	— do —	186/8	0-06-00
44.	— do —	— do —	186/9	0-01-00
45.	— do —	— do —	186/13	0-01-00
46.	— do —	— do —	186/14	0-02-00
47.	— do —	— do —	187/4	0-01-00
48.	— do —	— do —	187/5	0-01-00
49.	— do —	— do —	187/6	0-01-00
50.	— do —	— do —	187/7	0-01-00
51.	— do —	— do —	188/1	0-06-00
52.	— do —	— do —	196/-	0-03-00
				0-03-00
53.	— do —	— do —	203/1	0-01-00
54.	— do —	— do —	203/2	0-01-00
55.	— do —	— do —	204/1	0-01-00
56.	— do —	— do —	204/2	0-02-00
57.	— do —	— do —	205/10	0-01-00
58.	— do —	— do —	207/2	0-06-00
59.	— do —	— do —	209/1	0-02-00
60.	— do —	— do —	209/2	0-01-00
61.	— do —	— do —	209/4	0-01-00
62.	— do —	— do —	209/5	0-01-00
63.	— do —	— do —	211/1	0-02-00
64.	— do —	— do —	214/1	0-01-00
65.	— do —	— do —	214/2	0-01-00
66.	— do —	— do —	214/3	0-02-00
67.	— do —	— do —	214/5	0-04-00
68.	— do —	— do —	214/7	0-02-00
69.	— do —	— do —	214/8	0-01-00
70.	— do —	— do —	214/9	0-05-00
71.	— do —	— do —	216	0-04-00
72.	— do —	— do —	Govt. Road	0-57-00
Total:				2-18-00

A plan of the said land can be inspected at the Office of the Executive Engineer, Works Division VII, PWD, Daman and Collector, Daman.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

Balcrisna R. Naique, Principal Engineer, P.W.D. and Ex-Officio Addl. Secretary to the Govt.

Panaji, 23rd December, 1972.

## Notification

No. PWD/LA/1258/34/72

Land Acquisition Act 1894 (Act 1 of 1894)

Whereas it appears to the Government of Goa, Daman and Diu (hereinafter referred to as the Government) that the land specified in the schedule hereto (hereinafter referred to as the said land) is likely to be needed for the public purpose, namely for constructing a new road from Vapi to Bhamti (Kachigam Section).

Therefore the Government is pleased to notify under the provision of Sub-Section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the said Act) that the said land is needed for the public purpose specified above.

All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyors or



other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange and otherwise, or any outlay or improvements made therein without the sanction of the Collector, after the date of this notification, will under Section 24 (seventh) of the said Act, be disregarded by the Officer assessing compensation for such parts of the said lands as may be finally acquired.

If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be duly notified in the Official Gazette.

The Government is further pleased to direct under Sub-Section 4 of Section 17 of the said Act that the provision of Section 5(A) of the said Act shall not apply in respect of the said land.

The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Daman, Daman.
2. The Executive Engineer, Works Division VII, PWD, Daman.

#### SCHEDULE

Sl. No.	Taluka	Village	Description of Sur. Nos. Sheet No.	Approximate area H. R. A.
1	2	3	4	5
1.	Daman	Kachigam	23 1/1	0.24
2.	—do—	—do—	42 1/2	0.41
3.	—do—	—do—	22 2	1.53
4.	—do—	—do—	— 1	0.57
5.	—do—	—do—	21 16	0.98
6.	—do—	—do—	— 20	0.09
7.	—do—	—do—	16 4/1	0.01
8.	—do—	—do—	— 21/4	0.12
9.	—do—	—do—	— 21/5	0.14
10.	—do—	—do—	— 20	0.04
11.	—do—	—do—	— 19/2	0.01
12.	—do—	—do—	— 22/1	0.09
13.	—do—	—do—	— 22/2	0.03
14.	—do—	—do—	— 22/3	0.05
15.	—do—	—do—	— 22/4	0.06
16.	—do—	—do—	— 22/6	0.13
17.	—do—	—do—	— 22/7	0.14
				4.64
18.	—do—	—do—	16 —	0.17
19.	—do—	—do—	15 44	0.80 Govt.
20.	—do—	—do—	— 38/1	0.02
21.	—do—	—do—	— 38/2	0.02
22.	—do—	—do—	— 12/6	0.02
23.	—do—	—do—	— 48	0.05
24.	—do—	—do—	— 33/1	0.02
25.	—do—	—do—	— 33/2	0.02
26.	—do—	—do—	— 33/2	0.02
27.	—do—	—do—	— 32/4	0.03
28.	—do—	—do—	15 20	0.12
29.	—do—	—do—	— 19/1	0.06
30.	—do—	—do—	— 19/2	0.06
31.	—do—	—do—	— 16	0.02
32.	—do—	—do—	— 8	0.04 } 0.15
33.	—do—	—do—	— 14/2	0.08
34.	—do—	—do—	— 13	0.03
35.	—do—	—do—	15 —	0.09
36.	—do—	—do—	14 37/1	0.14 } 0.26
37.	—do—	—do—	— 37/2	0.02
38.	—do—	—do—	— 36/1	0.01
39.	—do—	—do—	— 36/5	0.04
40.	—do—	—do—	— 35/1	0.04 } 0.09
41.	—do—	—do—	— 23/1	0.04
42.	—do—	—do—	— 22	0.03
43.	—do—	—do—	— 17/5	0.15
44.	—do—	—do—	— 17/6	0.05
45.	—do—	—do—	— 16/3	0.16
46.	—do—	—do—	— 13	0.10
47.	—do—	—do—	— 11/3	0.02
48.	—do—	—do—	— 11/4	0.03

1	2	3	4	5
49.	Daman	Kachigam	— 32	0.05
50.	—do—	—do—	— 27/1	0.05
51.	—do—	—do—	— 25	0.07
52.	—do—	—do—	— —	0.26
				7.85

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Balcrisna R. Naique, Principal Engineer, P. W. D., and Ex-Officio Addl. Secretary to the Government.

Panaji, 23rd December, 1972.

#### Development Department 'A'

Order

No. CDE/Coop/1350/72

Sanction is hereby accorded to the deputation on foreign service terms of Shri A. Y. Gore, Senior Auditor Cooperative Societies of the Office of the Registrar of Coop. Societies to the Goa Coop. Dairy Federation, as Manager in the scale of Rs. 350-800, with immediate effect.

The deputation of the Officer shall be for a period of one year in the first instance.

The terms and conditions of deputation shall be in accordance with the Govt. of India, Ministry of Finance (Department of Expenditure) O. M. No. F.10(24)/E.III/60 dated 4-5-1961 as amended from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

Abel do Rosario, Under Secretary (Development).

Panaji, 22nd December, 1972.

#### Industries and Power Department

Notification

No. 3-73-72-IPD/RCSV

Whereas one Shri Ranji Chondru S. Cuvelcar had been granted a mining lease under title of concession No. 66 dated 18-8-52 for iron and manganese ores over an area of 31.8400 Ha. at Sigonem of Sanguem Taluka.

And whereas the said Shri Ranji Chondru S. Cuvelcar had failed to conduct mining operations in the area leased to him under the aforesaid title of concession and thus has committed breach of the provisions of clause (f) of sub-rule (1) of Rule 27 of the Mineral Concession Rules, 1960.

And whereas a notice bearing No. DI/Mines/72/1107 dated 24-4-72 had been served on said Shri Ranji Chondru S. Cuvelcar requiring him to remedy the said breach within 60 days from the date of receipt of the notice.

And whereas the said Shri Ranji Chondru S. Cuvelcar has failed to comply with the notice.

Now, therefore, in exercise of the powers conferred by sub-rule (5) of Rule 27 of the Mineral Concession Rules, 1960 the Lt. Governor of Goa, Daman and Diu hereby determines the said mining lease granted to Shri Ranji Chondru S. Cuvelcar under title of concession No. 66 dated 18-8-52 with immediate effect, without prejudice to any proceeding that may be taken against him.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour.

Panaji, 11th December, 1972.

## Notification

## No. 5-73-72-IPD/QSC(v)

Whereas one Shri Quexova Sinai Cundo had been granted a mining lease under title of concession No. 2 dated 4-1-1952 for ferro-manganese ores over an area of 95.2400 Ha. at Molcornem of Quepem Taluka.

And whereas the said Shri Quexova Sinai Cundo had failed to conduct mining operations in the area leased to him under the aforesaid title of concession and thus has committed breach of the provisions of clause (f) of sub-rule (1) of Rule 27 of the Mineral Concession Rules, 1960.

And whereas a notice bearing No. DI/Mines/72/872 dated 1-4-72 had been served on said Shri Quexova Sinai Cundo requiring him to remedy the said breach within 60 days from the date of receipt of the notice.

And whereas the said Shri Quexova Sinai Cundo has failed to comply with the notice.

Now, therefore, in exercise of the powers conferred by sub-rule (5) of Rule 27 of the Mineral Concession Rules, 1960 the Lt. Governor of Goa, Daman and Diu hereby determines the said mining lease granted to Shri Quexova Sinai Cundo under title of concession No. 2 dated 4-1-1952 with immediate effect, without prejudice to any proceeding that may be taken against him.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour.

Panaji, 23rd December, 1972.

## Notification

## No. 5-72-72-IPD-19/60

Whereas M/s. Chowgule & Co. Pvt. Ltd. from Mormugao Harbour had been granted a title of concession No. 19 dated 29-4-1960 for Ferro Manganese ore over an area of 97.9400 Ha. situated at Maem of Bicholim Taluka.

Whereas the said mining concession was modified by the Controller of Mining Leases vide order No. CML/Z-26/69 dated 30-1-1969 and the said order is suspended by the Central Government.

And whereas the said M/s. Chowgule & Co. Pvt. Ltd. vide application dated 22-7-1970 had applied for the surrender of the said mining lease by giving a notice in writing of 12 calendar months to the Director of Industries & Mines, Panaji.

Now, therefore, in exercise of the powers conferred by Rule 29 of the Mineral Concession Rules, 1960, the Lieutenant Governor of Goa, Daman and Diu hereby permits

M/s. Chowgule & Co. Pvt. Ltd. to surrender the said area under the above mining lease from 23-7-1971.

And further directs that M/s. Chowgule & Co. Pvt. Ltd. shall be liable to pay the dead rent from the date of modification order of the Controller of Mining Leases which is now under suspension by Government of India.

And in exercise of the powers conferred by Rule 58 of the Mineral Concession Rules, 1960, it is hereby notified for general information that the areas shown in Column 1 of the schedule below is available for grant of mining lease in respect of the mineral shown in column 2.

2. Interested persons may apply for the grant of mining lease to the Directorate of Industries & Mines, Panaji after expiry of 30 days from the date of publication of the notification.

3. The sketches of the area shown in the schedule may be inspected at Mines Department, Directorate of Industries & Mines, Panaji on all working days during office hours.

## SCHEDULE

Area available for grant of mining lease	Mineral	Village in which area is located	Taluka	District	Boundaries
97.9400 Ha.	Ferro Manganese ore	Maem	Bicholim	Goa	<p>North—Mining concession of Shri Rajaram N. X. Bandekar under title No. 4 of 17-6-1949; Mining concessions of M/s. Dempo Mining Corporation under title No. 14 of 20-8-41 and title No. 15 of 20-8-41.</p> <p>South—Mining Concessions of M/s. Chowgule &amp; Co. under title no. 13 of 18-11-49 and title No. 72 of 28-11-58. Mining lease granted to Shri Anand Krishna Shetye.</p> <p>East—Mining Concessions of M/s. Dempo Mining Corporation under title No. 13 of 20-8-41 and Mining concession of M/s. Chowgule under title No. 72 of 28-11-58.</p> <p>West—Mining concession of Shri Rajaram N. S. Bandekar under title No. 4 of 17-6-49 and Mining concessions of M/s. Chowgule &amp; Co. Pvt. Ltd. under title No. 5 of 8-7-49 and title No. 13 of 18-11-49.</p>

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour.

Panaji, 26th December, 1972.

## Labour and Information Department

## Order

## No. LC/1/282/66/3353

The following Award given by the Industrial Tribunal, Goa, Daman and Diu on an Industrial Dispute between M/s. Jose Francisco dos Santos, Margao, Goa and their

workmen employed by them, is hereby published as required vide provisions of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour Department.

Panaji, 18th December, 1972.

Before Shri N. L. Abhyankar, Industrial Tribunal, Goa, Daman and Diu

Ref.: (IT-GDD) No. 1 of 1967

Between

The Management of Jose Francisco Dos Santos,  
Mechanical & Structural Engineers, Margao,

And

The workmen employed under it.

In the matter of the legality and propriety of the action of the management in refusing employment to Shri Vaikuntha Pavaskar and the relief if any to which the workman is entitled and

In the matter of wages or compensation to which the workmen are entitled for the period of stoppage of work.

Appearances: Shri Barne, Advocate, for the employer  
Shri Mohan Nair for the workmen.

#### AWARD

By an order dated 29th December 1966 the Administrator of Goa, Daman and Diu representing the Government of Goa, Daman and Diu has referred the dispute between the management of Jose Francisco Dos Santos, Mechanical and Structural Engineers, Margao, and their workmen for adjudication to the Industrial Tribunal. The dispute referred for adjudication as mentioned in the schedule is as follows:

«Whether the action of the Management of Jose Francisco Dos Santos, Mechanical & Structural Engineers, Margao, in refusing employment to Shri Vaikuntha Pavaskar, employed in their workshop, is legal and justified; if not, to what relief the workman is entitled?

Whether the workmen employed by the Management of Jose Francisco Dos Santos, Mechanical & Structural Engineers, Margao, are entitled for any wages or compensation for the period of stoppage of work from 16-12-1966; if so to what extent?»

2. Though the schedule contains two demands namely in respect of the action taken against Vaikuntha Pavaskar and payment of wages or compensation for the period of stoppage of work by the employees from 16-12-1966 there is no reference or any information in the statement of claim as to the number of employees who were actually on strike or stopped work or the period for which such stoppage or strike continued. There is no material also on the record. In my opinion therefore no case is made out for payment of wages or compensation for the period of strike the duration of which is not known nor the employees who participated in it. That demand must therefore stand rejected for want of material.

3. As regards the grievance in respect of Shri Pavaskar the facts are in a narrow compass. Shri Pavaskar was employed in the mechanical and engineering work shop of the employer as a fitter. He had joined the service according to the workmen from 1963 and he was getting a monthly salary of Rs. 90 paid fortnightly. According to the employer he was paid less that is Rs. 3.50 per working day. Nothing was paid for Sundays which may be the weekly holiday. On 15th December, 1966 the employer had undertaken some work at Convent Carmelitus and Pavaskar was working on the welding machine. While he was so at work the proprietor Shri Santos came to the place of work along with one Shri Hegde. The proprietor asked Pavaskar to go home without more. Then he was called to the office of the factory where the clerk concerned was also called and in his presence was asked to strike off the name of the workman from the muster roll. Then Pavaskar was asked to leave the factory and not to come back. On the next day when the workmen went on strike and Pavaskar was told that he had ceased to be in service. This action on the part of the employer in summarily terminating the services of the employee without any charge sheet or inquiry or opportunity to defend himself seems to have adversely affected the employees and all the employees had gone on strike from the afternoon of 15th December, 1966. Since then the employer has not either given any relief to the employee or paid him anything.

4. The employee approached the Commissioner of Labour and the matter was taken in conciliation. It appears that some proposal was made during conciliation proceedings but in the absence of any response from the employer the dispute was referred by the Government to this Tribunal.

5. The employer has raised two preliminary objections which may be considered presently. But on the merits the employer's case is that it was the employee Shri Pavaskar who had voluntarily abandoned his service and his services were not terminated by any order of dismissal or discharge. There was therefore no question of framing a charge or issuing a charge sheet nor any need for a departmental or domestic enquiry because the employee had voluntarily left service. According to the written statement filed by the employer it was the workman who abruptly stopped reporting for duty from 16th December 1966 and he did not give any intimation to the management in this respect. The employer however has admitted that on 15th December, 1966 Shri Pavaskar was required to work on the welding machine. When the proprietor that is Shri Santos visited that place as usual for supervising the work Pavaskar was found smoking and sitting idle, therefore he was told that he should work sincerely and honestly and that this policy of going slow affected the reputation of the factory and everyone's service or go home. Shri Santos admits that he was accompanied by Dr. Hedge but has denied that Dr. Hedge took any part in the talk between the parties. It is admitted that the union took up the matter and the cause of the workman and the suggestion is that it is the union which has instigated the raising of this dispute. The written statement specifically denies that Pavaskar reported for duty on 16th December, 1966 or on subsequent dates. According to the employer as there was no termination illegal or otherwise the question of any illegal action does not arise. Then a reference is made in para 14 of the written statement to the communication from the union in which reference is made to a strike which had already commenced from 15th December, 1966. It is not necessary to refer further to the averments in respect of the strike as I have come to the conclusion that there is no material to give relief in respect of the strike period.

6. Now it will be convenient to consider the preliminary objections. The first is that the dispute was originally referred to the Tribunal then presided over by Shri Taki Bilgrami and there is no separate and independent reference of that dispute now to any one after Shri Taki Bilgrami ceased to exercise the functions as the Tribunal. The short answer to this contention which is obviously untenable is the provision of Section 8 of the Industrial Disputes Act. Under that section when a vacancy occurs in the office of the Presiding Officer of the Tribunal the appropriate Government is empowered to appoint any other person in accordance with the provisions of the Act to fill the vacancy in the office of the Presiding Officer of the Tribunal and when the vacancy is filled in this fashion the proceedings may be continued before the Tribunal from the stage at which the vacancy is filled. There is a Government notification issued by the Lieutenant Governor of Goa, Daman and Diu of my appointment as Industrial Tribunal after accepting the resignation tendered by my predecessor Shri V. A. Naik who was then the Presiding Officer of the Tribunal. Shri V. A. Naik was similarly appointed in the vacancy in the office of the Presiding Officer of this Tribunal caused by his predecessor Shri Taki Bilgrami. In view of the provisions of Section 8, there is no substance in this objection which is hereby rejected. The reference is properly before this Tribunal and requires to be adjudicated.

7. The second objection is that there is no industrial dispute as such of which cognisance can be taken either by the Government or which can be referred to the Industrial Tribunal. This objection is equally devoid of any substance. There was an approach to the Commissioner of Labour and it is on account of the failure of the employer to take back Pavaskar in service that there was an attempt at conciliation and this dispute had very much arisen and was alive on the date the reference was made. It may be mentioned incidentally that the power of Government to make a reference can also be exercised in the cases of apprehended disputes and not merely in cases of actual disputes. It is a patent on the face of the record that there was a strike following the action taken against Pavaskar and that the strike continued for some days because relief was not given to Pavaskar. It appears that the strike came to an end on or after the matter was referred by the Government by its order dated 29th December, 1966. In view of these facts it is futile to suggest that

there was no industrial dispute of which a reference could be made and that objection must fail.

8. Now on merits of the dispute it is not the case of the employer that any charge sheet was framed or any enquiry was held. On behalf of the employee 3 witnesses have been examined and they are Shri Pavaskar himself, Shri Hegde and one Shri Francis Carneiro who was at the relevant time working as a clerk with the proprietor Shri Santos. According to Shri Pavaskar while he was doing some work in the Convent at Margao the proprietor came there accompanied by Shri Hegde at about 10 a.m. on 15th December, 1966. The proprietor asked him to cease work and get out. When he reported for work on the next day that is on 16th December, 1966 the proprietor refused to allow him to work and thus there was a strike in the work-shop. He has stated even when he was examined that he was prepared to work if offered by the proprietor. In cross-examination it has come out that after he was asked to stop work and go home the employer asked him to come to the work shop and in his presence the clerk was asked to cancel his name. According to him the muster clerk told him that his name was removed from the muster. The evidence also shows that there was a protest strike by the workers against his being asked to go home and not being allowed to work the next day when he reported on 16th December, 1966. Dr. Hedge is the next witness and he has substantially corroborated the testimony of the employee so far as the action against Pavaskar is concerned. According to Dr. Hegde, Pavaskar was working on a machine the proprietor Shri Santos was annoyed with Pavaskar and straight-away told Pavaskar that he was dismissed. The workers had represented that Pavaskar should be taken on duty and they had gone on strike either on the same day or the next day. He has stated that Pavaskar was already in service before the proprietor started consulting him. Shri Hegde has stated that he had attended the proceedings before the Labour Commissioner along with the proprietor Shri Santos and had advised Shri Santos that Pavaskar should be reinstated. It appears from the cross-examination of this witness that Santos had agreed to compensate Shri Hegde for his advice but later on had declined to keep his promise. But there is nothing to suggest from his cross-examination that merely on that account Shri Hegde should be telling a falsehood as regards the incident when Shri Hegde's presence at the time the action was taken is an admitted position.

9. The 3rd witness is Shri Carneiro. According to him whenever he made a remark «left» against the name of a worker it indicated that the worker was discharged and not voluntarily resigned. In para 4 he has stated that after Pavaskar was removed from service in December, 1966 though he did not know the reason it was Shri Santos who had asked him to remove his name from the muster. The criticism against this evidence is that the witness is one of the workmen concerned in the general dispute which is the subject matter of Ref.: (IT-GDD) No. 10 of 1970 and therefore interested in favour of Pavaskar. The witness has been examined mostly on the documents produced such as attendance registers etc. and I am not satisfied that witness has been induced to say that Pavaskar was removed though that is not a fact.

10. As against that evidence there is the testimony of Jose Francisco Dos Santos himself who is the only witness examined for the employer. He has admitted that on 15th December, 1966 he went with Dr. Hedge to the convent where Pavaskar was working as an Assistant Welder. Shri Santos says that he found Pavaskar sitting idle and so he told him that if he did not want to work he could go away. This admission of Shri Santos considerably strengthens the probability of one fact namely that Pavaskar ceased to work because the employer asked him to go away. Santos has also admitted that from that place Pavaskar came to the work shop which is also the case of Pavaskar. In para 6 Shri Santos has also admitted that the workmen went on strike due to Pavaskar's incident and for no other reason. According to Santos when he went with Shri Hegde

to the convent and told Pavaskar that if he was to sit he may as well go home, Shri Hegde agreed to this action.

11. In my opinion even assuming there was any justification for taking serious notice about the alleged idling away of time by Pavaskar the employer could not just ask him to go away meaning that he had ceased to be in service. Time has long past when an employee can be unceremoniously fired in this fashion. If the employee was guilty of misconduct or malingering or idling away his time or avoiding work it was open to the employer to make a proper inquiry after framing a charge sheet and this not having been done the action taken is in violation of the principles of natural justice and cannot be up-held. It is naive to suggest as was done in the written statement in defence that Pavaskar had himself ceased to come to work. All the circumstances and the evidence are to the contrary. In fact Shri Santos admitted when in the witness box that it was he who asked Pavaskar to go home if he wanted to sit idle. There is evidence that on the next day when Pavaskar report for duty he was not taken back in service and thus his discharge was complete.

12. In view of this position there is no doubt that the order by Santos asking Pavaskar to go home amounts to an order of dismissal from service and that order could not have been passed by the employer without a proper enquiry. This is not a case of discharge simpliciter either, because the action was taken in the back-ground of the alleged idling away of his time by Pavaskar, that is, for misconduct. When misconduct is motivation for action it is elementary that there ought to be a charge sheet, a proper enquiry, an opportunity to defend and a finding recorded up-holding the misconduct before punitive action can be taken against an employee. The action of the employer in this case therefore cannot be up-held and must be held to be illegal and unjustified. The termination of the services of Pavaskar under these circumstances is therefore contrary to law and contrary to the principles of natural justice.

13. It is unfortunate that such a long time should have elapsed since the raising of the dispute and the reference of it to this Tribunal and the final order of adjudication which comes to be passed after a period of nearly 6 years. It is not necessary to go into the reasons for this extraordinary delay for which the matter is pending before the Tribunal. Shri Barne the learned counsel appearing for the employer has stated that the concern is not very prosperous now and for one reason or other it is likely to close down. Under these circumstances I do not think after such a long lapse of time it will be proper to order reinstatement of the employee or payment of back wages to any extent. Instead it will be more fair and just to order an amount to be paid by way of compensation both for loss of wages and for loss of employment. The employee was getting a wage of Rs. 3.50 per day for the days he worked. Even if the employee worked for all the days in a month he would be getting roughly Rs. 91 and he has stated he was getting Rs. 45.50 per fortnight. Thus during the last 6 years the employee would have earned if he had worked on all the days roughly about Rs. 6,000. I therefore consider that the workman should be paid Rs. 6,000/- and that would be adequate compensation for loss of wages and loss of employment. If he is a qualified fitter he will be able to get alternative employment. I therefore direct the employer Shri Jose Francisco Dos Santos to pay a sum of Rs. 6,000 to Shri Vaikuntha Pavaskar by way of compensation for loss of wages and loss of employment within a period of one month from the date this award becomes enforceable. There will be no order as to costs.

Sd/-

N. L. Abhyankar  
Industrial Tribunal

Bombay, 28th November, 1972.  
(AF).